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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,682	08/07/2003	Un-Jin Choi	1293.1860	1771

21171 7590 01/11/2006

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EXAMINER

BLOUIN, MARK S

ART UNIT	PAPER NUMBER
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2653

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/635,682	Applicant(s) CHOI, UN-JIN	
	Examiner Mark Blouin	Art Unit 2653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7 and 8 is/are allowed.
- 6) ☒ Claim(s) 1-6 and 9-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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Detailed Action

Response to Amendment

- The response filed on December 29, 2005 was applied to the following effect: Request for new office action is provided. Typographical error has been fixed: 102(e) has been changed to 103(a), and a secondary reference has been provided to show use of viscoelastic material having a damping characteristic. The 103 rejection no longer relies upon an Official Notice argument.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
2. Claims 1-6 and 9-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshiyuki (JP 2002-279739) in view of Suzuki (JP 362145540).
3. Regarding Claims 1-3, 9-12, and 16-18, Yoshiyuki shows (Figs. 1-4), an optical disc drive comprising an optical pickup unit (2a) accessing a rotating optical disc, an optical pickup unit feeding apparatus (2) moving the optical pickup unit in a radial direction of the optical disc by rotation of a lead screw with a spiral groove (1), wherein the optical pickup unit feeding apparatus comprises a guide member combined with an optical pickup unit, the guide member (3) comprising one or more contact parts engaging the spiral groove formed on the lead screw, applying a force to the optical pickup unit in response to the rotation of the lead screw, wherein

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the force moves the optical pickup unit, and an elastic member (3) comprising a first elastic section elastically engaging the contact parts, and a second elastic section (4b) forcing the contact parts not to separate from the spiral groove, wherein a spring constant of the second elastic section is greater than a spring constant of the first elastic section (the second elastic must have a higher spring constant to force the first elastic against the spiral groove), but does not show where the elastic member is a viscoelastic material having a damping characteristic.

Suzuki shows viscoelastic material in conjunction with spring members having a damping characteristic.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute the viscoelastic material of Suzuki for the elastic material as taught by Yoshiyuki since they art recognized equivalents for providing a damping characteristic.

4. Regarding Claims 4-6 and 13-15, Yoshiyuki shows (Figs. 1-4) the optical pickup unit feeding apparatus, wherein the elastic member further comprises a third elastic section (4a), wherein an elastic force is reduced when a displacement of the elastic member in the second elastic section separates the contact parts from the spiral groove, wherein the elastic member comprises a body forming the second elastic section (4b), at least one protrusion (teeth engaging spiral) from the body forming the first elastic section, and at least one cavity (gap between of parts 4a and 4b), in the body forming the third elastic section, but does not show where the elastic member is a viscoelastic material having a damping characteristic.

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Suzuki shows viscoelastic material in conjunction with spring members having a damping characteristic.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute the viscoelastic material of Suzuki for the elastic material as taught by Yoshiyuki since they art recognized equivalents for providing a damping characteristic.

Allowable Subject Matter

5. Claims 7 and 8 are allowed.

Response to Arguments

6. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Blouin whose telephone number is 571-272-7583. The examiner can normally be reached on M-F from 6:00 to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch, can be reached on 571-272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Mark Blouin
Patent Examiner
Art Unit 2653
January 4, 2006

A. J. HEINZ
PRIMARY EXAMINER
GROUP ~~2500~~ A. U 2653

